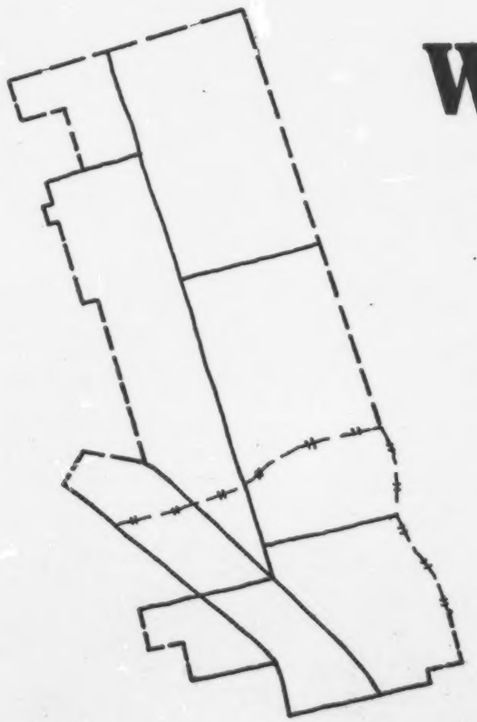
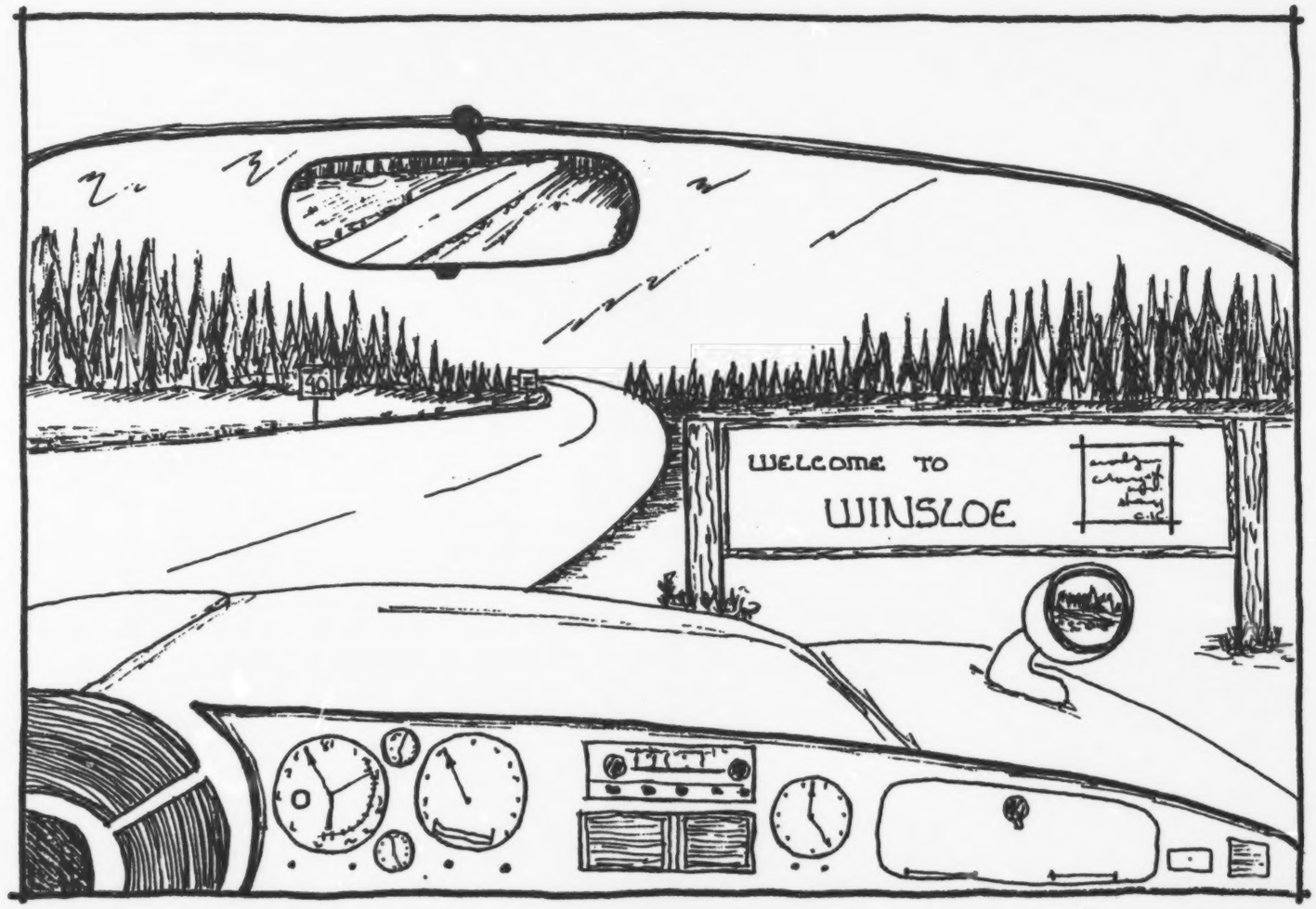


WINSLOE

COMMUNITY
IMPROVEMENT
COMMITTEE

OFFICIAL PLAN


WELCOME TO
WINSLOE

REVIEW PROCESS

THIS PLAN WILL BE REVIEWED IN 2 1/2 YEARS
AND 5 YEARS FROM THE DATE OF IMPLEMENTATION

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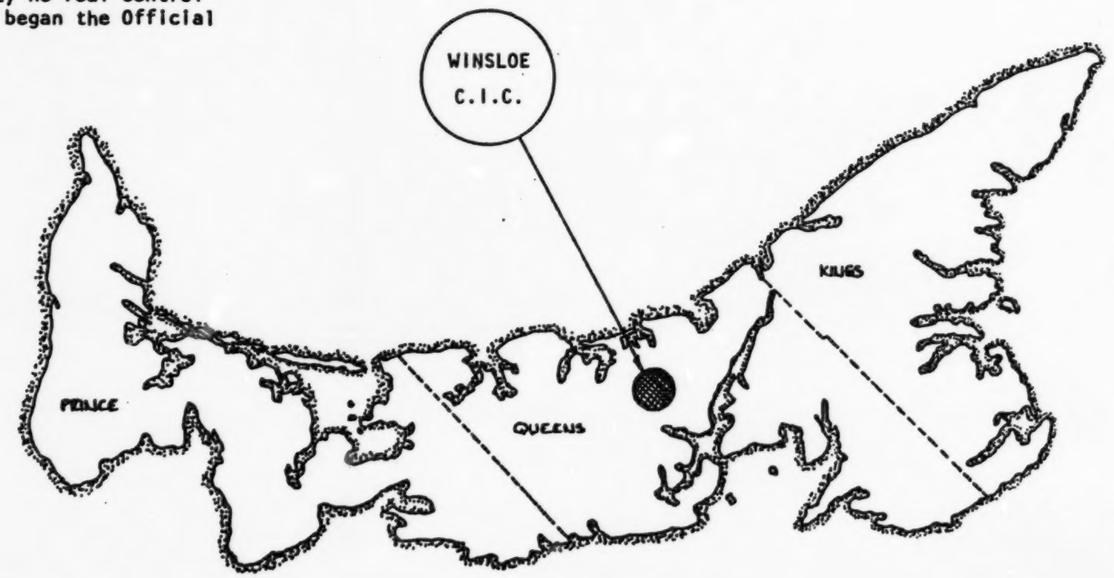
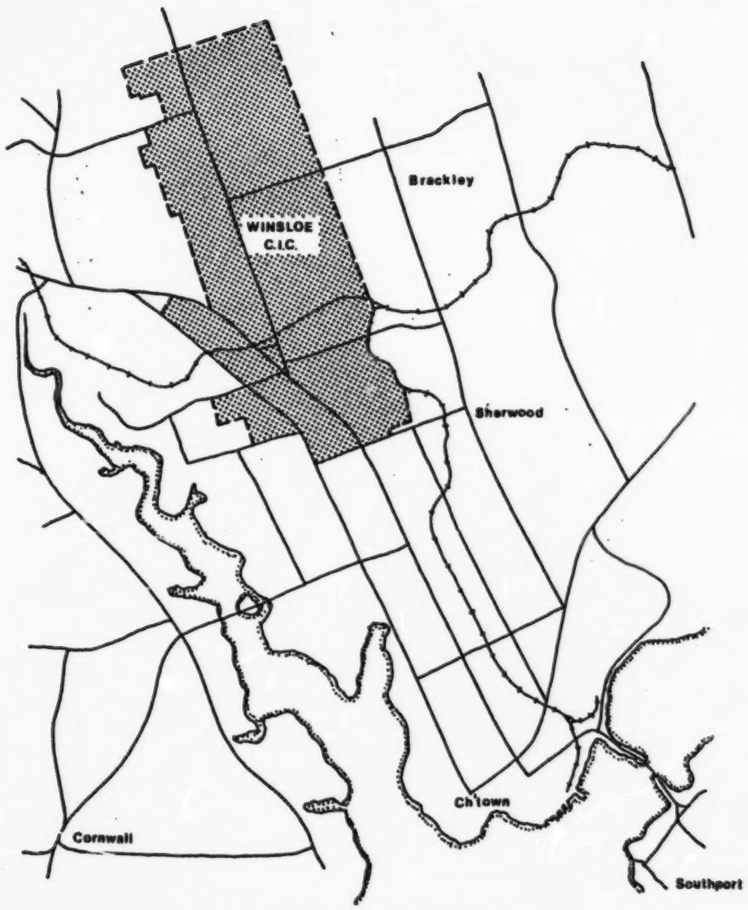
I INTRODUCTION

Winsloe Community Improvement Committee is located in the northwestern fringe of the Greater Charlottetown Area, approximately 6 1/2 miles from downtown Charlottetown. From its formation as a Community Improvement Committee in 1971, the Community has made recommendations to Government on building permit applications and applications for permission to subdivide, that have occurred within its boundaries. In December, 1975, the Community Improvement Committee formed a planning board. The planning board, realizing that merely commenting and recommending on development proposals gave the Community no real control over development within the Community, began the Official Plan process.





GREATER CHARLOTTETOWN AREA

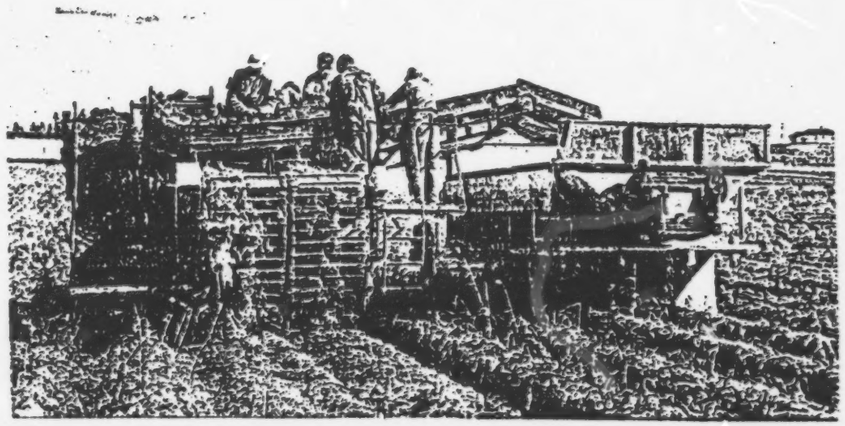
II EXISTING LAND USE

Prior to developing an official plan, it is necessary to have a complete inventory of existing land uses together with existing facilities and services. This inventory or information base was prepared for Winsloe through field study carried out by the Land Use Service Centre.

Existing land use studies indicated that the majority of the land within the Community is used for agricultural pursuits. What residential development that has taken place up to the present has mainly been strip development along the Winsloe, Malpeque and Lower Malpeque Road. Residential development that occurred in compact subdivision form has, except in three cases, been concentrated between the Malpeque and Lower Malpeque Roads.

As is the case with most municipalities that have developed under very loose development controls, there is also a scattering of commercial and industrial establishments in the Community. Winsloe has, however, been fortunate in that no serious land use conflicts have yet developed.

The following sections of the background report are a review of the various land uses that are found within the Community.



Agricultural:

Agricultural is by far the largest classification of land use in Winsloe. Of the total land area of 3,430 acres in the Community, approximately 3,000 acres of this land are dedicated to agricultural activities. Of this 3,000 acres, approximately 2,200 acres is Class #2 and Class #3 agricultural land.

Residential:

There are at present somewhere in the order of 300 acres of land in Winsloe dedicated to residential development. The majority of the residential development which has occurred in Winsloe, some 155 dwellings, has been in the form of strip development. Only in the past few years has development begun to occur on internal subdivision roads.

Since 1969 there have been seven multiple lot subdivisions approved in the Winsloe Community. These seven subdivisions have included 332 lots. Ninety-six of these lots were approved in December, 1975, as a result of an appeal decision of the Land Use Commission. Of the 226 lots approved prior to the Commission's decision, approximately 160 remain undeveloped (vacant). With the additional 96 lots approved in 1975, there are now approximately 255 undeveloped lots in Winsloe.

Commercial:

Presently there are some four acres of land in Winsloe dedicated solely to commercial use. As well, there are an additional 21 acres of land dedicated to mixed commercial and residential uses.

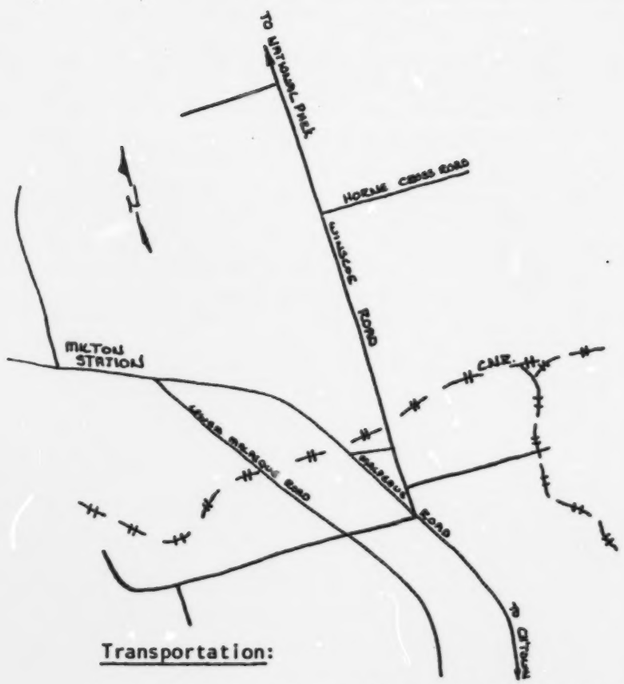
There are five commercial establishments in Winsloe that supply goods and services on a year-round basis to residents of Winsloe and the surrounding areas. In addition, there are three establishments which offer goods and services on a seasonal basis.

Institutional and Open Space (Recreational):

Institutional uses of land in Winsloe occupy approximately eight acres. All of the recreational land in Winsloe now available for public use is located around the Community Hall and Winsloe Lions Club Hall. This 3 1/2 acres of land, three acres of which is owned by the Lions Club, has not been intensely developed for recreational use. Further, there has been land dedicated for open space use in the McQuaid and Gardiner subdivisions. Deeds to these parcels of land are being actively solicited.

Industrial:

With the exception of the agricultural industry, there is at present, minimal industrial activity in Winsloe. There are two industrial establishments which occupy approximately 17 acres of land - a wholesale lumber yard occupying rail siding and a construction company which occupies an abandoned borrow pit.



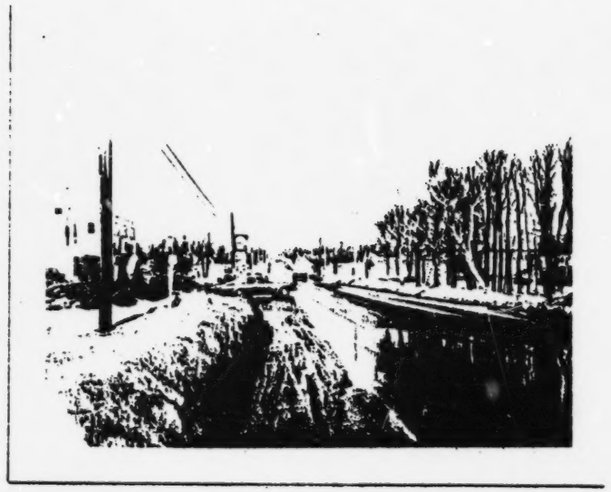
Transportation:

There are three major roads in the Winsloe Community Improvement Committee area - the Malpeque Road, the Lower Malpeque Road and the Winsloe Road.

The Malpeque Road is one of the major highways in the Province as evidenced by the fact that it has been designated as a Protected Highway under the Planning Act Regulations. The Lower Malpeque Road, while not being as important as the Malpeque Road from a provincial standpoint, provides more immediate access to downtown Charlottetown than does the Malpeque Road.

The Winsloe Road at present provides alternate access to the National Park. As the Brackley Point Road becomes more congested, the Winsloe Road will become more important as an access road to the North Shore.

As stated above, all of these roads have been subjected to strip development, which has reduced the efficiency, capacity and safety of these roads as transportation links. The major intersection in the Community, at the Winsloe Road, Malpeque Road, Sleepy Hollow junction is less than ideal because of drainage problems, long angled approach roads, a profusion of pavement and unrestricted commercial access.



III ANALYSIS

When analysing the various activities, opportunities and constraints that are present in Winsloe, it is necessary to be cognisant of, and give consideration to, the activities, opportunities and constraints that are at work in the Charlottetown area. Further to be considered are the various policies and regulations of the various government departments and agencies. Any analysis that does not consider Winsloe in a regional context would be incomplete at best and possibly irrelevant.

Residential:

Comparatively speaking, Winsloe has experienced substantial residential growth in the past few years. This fact becomes apparent when one compares the number of dwellings now in the Community and the number of dwellings that have been built since 1968.

TABLE #1

Residential Building Activity 1968 - 1975

Fiscal Year	Number of permits issued	Number of units constructed	Real increase from previous year
1968	2	2	
1969	4	4	2
1970	6	6 (1)	2
1971	8	8 (2)	2
1972	15	15 (3)	7
1973	22	19 (4)	4
1974	12	12	-7
1975	14	12 (5)	0

(1) Three of these houses appear to have been constructed by "spec builders".

(2) One of these houses appear to have been constructed by "spec builders".

(3) One of these houses appear to have been constructed by "spec builders".

(4) Three of these houses appear to have been constructed by "spec builders".

(5) Three of these houses appear to have been constructed by "spec builders".

Half of the houses in Winsloe have been built in the last eight years - 42% in the last five years.

As can be determined from Table #1 above, the number of houses built rose steadily from 1968 to 1972, then in 1972 increased substantially and retained a high level of construction activity in 1973. However, there was a significant decline in 1974 from the previous year and 1975 showed a leveling off in the construction activity.

This slump in construction activity in the last two years, compared with previous years, can be attributed to poor conditions, i.e. lack of money, comparatively speaking, high interest rates and high building costs.

TABLE #2

Residential Building Activity Charlottetown Area 1970 - 1975:

Place	1970	1971	1972	1973	1974	1975	Totals
Crossroads	NA	NA	13	17	46	44	120
Bunbury	7	8	22	19	19	9	84
Southport	9	10	16	16	60	38	149
Keppoch-Kinlock	NA	NA	2	7	17	3	29
Ch'Town	159	134	78	113	67	39	590
Parkdale	12	7	7	2	4	30	62
Hillsboro Park	NA	NA	44	86	8	0	138
E. Royalty	2	11	26	12	50	25	126
Sherwood	47	93	78	112	86	64	480
W. Royalty	6	2	8	19	46	40	121
N. River Area	NA	NA	10	16	21	10	57
Cornwall	16	11	26	24	37	23	137
Winsloe	7	9	15	22	12	14	79
TOTALS	265	285	345	465	473	339	2,172

Examination of Table #2, above, indicates that approximately 3.6% of the building starts in the Charlottetown Region have occurred in Winsloe over the past six years. Further, it can be noted that housing starts in Winsloe have generally followed the trends of the region.

As noted earlier, policies of various public departments and agencies also have an impact on development. The policies and programs of Central Mortgage and Housing Corporation (C.M.H.C.), the P. E. I. Housing Corporation (P.E.I.H.C.) and Unit 3 School Board have particular impact on residential development as C.M.H.C. and P.E.I.H.C. are residential lending authorities and Unit 3 provides school services.

At the present time, and this situation is not expected to change, neither C.M.H.C. nor P.E.I.H.C. are willing to provide assistance to anyone in the Winsloe area. These policies affect C.M.H.C.'s mortgage guarantee program, and P.E.I.H.C.'s Assisted Home Ownership and Co-op Housing Programs which are jointly funded by the two agencies. These policies reflect C.M.H.C.'s attitude that at least one piped service is required before assistance is offered to anyone (except for rural housing on a single lot basis). This policy is an attempt to control and discourage fringe development.

Information from the P. E. I. Housing Corporation indicates that C.M.H.C.'s Assisted Home Ownership Programme will play an increasingly important role in the provision of housing for low and middle income people in light of high building and interest costs. If this information is correct, it means that there will be some restriction of the totally available housing growth for Winsloe.

Further, both Central Mortgage and Housing Corporation and the P. E. I. Housing Corporation are involved in Land Assembly and Development Programs. These two programs - Hillsborough Park and Maryfield, are scheduled to create some 1,800 housing units over the next five or ten years. It can be assumed that a good deal of assistance provided to potential homeowners will be channelled into these two developments.

The school construction plans of Unit 3 School Board also have an impact on Winsloe. The construction of a school in an area is generally considered to be a stimulus to growth. Information from the Unit 3 School Board indicates that there is sufficient school capacity in the City to accommodate the school population of Winsloe for the foreseeable future. This would indicate that a school will not be built in Winsloe and that students in Winsloe will continue to be bussed to Charlottetown.

Lot availability in the Charlottetown Region should also be considered when analysing Winsloe's residential growth potential. Findings of the Greater Charlottetown Residential Subdivision Study prepared by the Planning Division, Department of Municipal Affairs and the Land Use Service Centre in January 1975 indicated that there were in the order of 2,700 approved undeveloped lots available in the Charlottetown area and that given the past trends in building starts, the lot supply, with no further subdivision, would last until 1990.

From the above information, it is clear that there is an abundance of residential building lots in Winsloe and the Charlottetown area. Further, it can be expected that Government housing policies and programs will have an impact on the residential development pattern in the Charlottetown area and it can be assumed that it will be a negative impact on residential development in Winsloe.

Population:

There are many techniques, varying in complexity, available for the forecasting of population change. For a small community such as Winsloe, where little information on population change is available, a common method used for the estimation of population change is the rate of residential expansion.

Using data from Table #1, above, one is able to estimate a range of annual population increase ranging from a high of 63 persons per year to a low of seven persons per year with an average of 35 persons per year, which is approximately the annual increase of the last two years. At this average rate of increase the population of Winsloe could be expected to double in 15 years to approximately 1,100 persons.

Commercial:

The level of commercial facilities that a community can support is directly related to its population. No one can expect commercial facilities to be supplied if those facilities will not be used.

Studies of actual cases in both the United States and Canada indicate that there are certain thresholds (number of people available to use the service) which must be attained before a level of service or type of service is supplied. These studies indicate that communities the size of Winsloe, even if the population doubles in the next 15 years as suggested, will have services such as a gas station and a general store.

Accordingly, the commercial services which are already supplied in Winsloe, are the levels of service which can be expected. Before additional services could be supported or expected to locate in Winsloe, there would have to be a dramatic increase in the population. Even if such a

dramatic increase in the population were to occur, only local convenience commercial enterprises could be expected because of the regional influence of the present commercial facilities in the Charlottetown area.

Industrial:

Theoretically, the provincially sponsored and financed industrial park in West Royalty can adequately serve the industrial expansion for the Charlottetown region for the foreseeable future. Further, the land in Sherwood in the area of the airport has shown a propensity for attracting industrial establishments and has been zoned for industrial use. With those two industrial areas identified and attracting growth, the only type of industrial enterprise which could be expected to locate in Winsloe is a bulk storage/warehousing type of enterprise which requires relatively cheap land, possibly rail siding, and no piped sewer or water service.

Institutional/Open Space:

The Winsloe Community is fortunate when institutional and open space facilities are considered. The community hall and churches are focal points for meeting the adult recreation. Further, with the open space areas that have been provided in the McQuaid and Gardiner subdivisions and the land around the community hall, the community has enough open space for a population of approximately double the present population according to recognized recreational standards.

Soils:

The residents of Winsloe rely solely on the soil for the disposal of domestic waste and the supply of water. It is therefore absolutely imperative that private sewage disposal systems not contaminate private wells.

Recent reports from the Department of the Environment indicate that well contamination, some of it from septic tank systems, is occurring with increasing incidence. Further soil information available from the Land Use Service Centre, Soils Division indicates that all of the soils in Winsloe have at least moderate limitations for septic tank systems.

Transportation:

The three major roads in Winsloe, Malpeque Road, Lower Malpeque Road and Winsloe Road, all play a role in the regional transportation network to some extent.

These roads have all had their capacity and efficiency limited to some degree by strip development. Given that the motor vehicle plays such an important role in contemporary transportation in the Charlottetown area, as well as the Province, it is imperative that these roads not be further obstructed and that safe and efficient transport be available for the movement of people, goods and services.

At the present time, there has been no clear statement made by the Province with regard to the expansion and reconstruction of the Charlottetown Airport. The much discussed 7,000 foot east-west runway is also still in the discussion stages in that the Ministry of Transport (M.O.T.) has made no clear commitment to construct a 7,000 foot runway. M.O.T. has requested that the Province

protect the airport by controlling development in the 35 and 30 noise exposure forecast (N.E.F.) zones.

The 30-35 noise exposure forecast (N.E.F.) zone lies within the southeast corner of the C.I.C. of Winsloe. Land zoning is predominantly Rural (A1) with only two parcels of land being residential in nature. As these lands are on the outer boundaries of the N.E.F. contours, adverse effects should be minimal. The community should be aware that building regulations may be needed in the future in this area.

IV CONCLUSIONS

From the above information and analysis, a number of conclusions can be drawn:

1. Winsloe is a rural community experiencing urban encroachment. Many of the people living in Winsloe have moved there because of the rural character of the area and relatively low lot costs and taxes.

2. Most of the new residents in Winsloe do not work in the community and this situation is tending to make Winsloe a bedroom community.

3. Agriculture is still a viable industry in the Community. Unless urban encroachment is controlled, the viability of the agricultural industry may be jeopardized.

4. There is presently an abundance of undeveloped building lots in the Community. This supply of lots, without further subdivision, will be sufficient to service the demand for some 15 to 20 years.

5. While there have yet been no problems with septic tanks contaminating wells, information available indicates that this problem may arise in the future. In order to guard against this possibility, large lots are in order.

6. The level of services now offered in Winsloe is not expected to change radically unless a substantial population increase is experienced. Even then, only convenience facilities can be expected because of the levels of services provided elsewhere in the Charlottetown area.

7. Strip development has lessened the capacity, efficiency and safety of most of the roads in Winsloe. This type of development must be discouraged if the roads are to retain their role as traffic carriers.

8. The Community is fortunate to have as much recreational open space as it does. According to recognized recreational standards, Winsloe has enough open space/ recreational land for a population twice as large. However, there should be a long term agreement negotiated between the Lions Club and the Community to determine the disposition of the Lions Club property.

9. Due to many circumstances, the building boom of 1972 and 1973 is not likely to be repeated. Therefore, there is no need for extensive subdivision of land to take place throughout the Community.

10. Any industrial uses that will desire to locate in Winsloe will probably be warehousing or bulk storage uses which require relatively cheap land and no services.

11. Because the highways and roads in the municipality are a Provincial responsibility, any request for re-alignment, up-grading or drainage work must be supported by a specific proposal.

12. While the airport issue has not yet been settled, the municipality must be cognisant of all eventualities. To this end, the municipality should become actively involved, as a member municipality, with the Charlottetown Area Regional Planning Board.

V OBJECTIVES

The main objectives of the Community of Winsloe and listed in the Official Plan are as follows:

- to maintain the rural character of the Community.
- to protect and preserve the agricultural industry in the Community.
- to ensure, as far as possible, that piped services are not required.
- to ensure that through traffic through the Community is unimpeded.
- to protect and develop existing open space and recreational facilities.
- to have an orderly pattern of development in the Community.

VI POLICIES

Agriculture:

In order to protect and enhance the agricultural base of the Community, the following shall be the policies of the Community of Winsloe:

- to prohibit large scale residential development in the agricultural area of the Community. The total prohibition of subdivision in the agricultural area is not acceptable to the residents. Therefore, it shall be the policy of the Winsloe C.I.C:

- to allow one lot of approximately one acre in size to be served from each farm.

- to allow one mobile home as an accessory building on each farm. No subdivision will take place in this case.

Residential:

In order to maintain the rural character of the Community and ensure, as far as possible, that piped services are not required, it shall be the policy of the Community of Winsloe:

- to allow further large scale residential development to locate only in the areas identified for residential development on the Concept Plan Map.

- to insist on low density development by allowing only lots of 20,000 square feet or larger to be created for single family dwellings and 30,000 square feet or larger for duplex dwellings.

- to prohibit mobile homes except for one mobile home as an accessory building on each farm. No subdivision will take place in this case.

Commercial & Industrial:

In order to have an orderly pattern of development it shall be the policy of the Community of Winsloe:

- to allow commercial and industrial uses to locate only in the areas identified for commercial and industrial development on the Concept Plan Map.

Recreational and Open Space:

In order to protect and develop the existing recreational and open space facilities it shall be the policy of the Community of Winsloe:

- to levy a recreational/open space fee on all future developers.

- to reach a long term agreement with the Winsloe Lions Club concerning the Lions Club property.

Transportation:

In order to allow through traffic to proceed through the Community in a safe and unincumbered manner, it shall be the policy of the Community of Winsloe:

- to insist that all new residential development have access only to subdivision roads.

- to insist that any new commercial or industrial development supply adequate off-street parking.

- to conform to Provincial Planning Regulations on Protected Highway #2, Malpeque Road.

IMPLEMENTATION OF THE POLICIES CONTAINED IN THE OFFICIAL PLAN

The polices contained in the Official Plan are implemented by Subdivision Control Regulations and Zoning Regulations.

Subdivision Control Regulations:

When any person wishes to subdivide land within Winsloe C.I.C., he will be required to provide a preliminary plan showing:

(a) the true shape and dimensions of the lot or lots.

(b) the location of all existing buildings or structures on the land to be subdivided.

(c) existing and proposed services.

(d) the name and signature of the landowner.

(e) the name and signature of the applicant if different than the owner.

(f) proposed width and location of all streets and roads.

(g) location of land proposed for parks or public use.

(h) existing land use of the land and adjacent properties showing buildings, fields, streams, rivers, swamps, wooded areas and areas subject to flooding.

If there is some question about the drainage of the area or capability of the land for septic tank use, contours and/or spot elevations, an indication of general soil conditions and a soil percolation test or tests of the site may be required.

Also to be supplied is an orthophoto which shall show the parcel of land which is being subdivided.

The preliminary plan shall be submitted to the Planning Board which shall have 30 working days to evaluate the plan.

When evaluating the preliminary plan the Planning Board shall consider the following:

(a) whether the plan conforms to the Zoning Regulations.

(b) topography and physical condition of the land.

(c) soil characteristics.

(d) surface drainage.

(e) potential flooding and erosion.

(f) convenience of access.

(g) existing land use in the immediate vicinity.

(h) segregation of traffic flow as between main and minor throughfares.

(i) dimension, shape, orientation and accessibility of each lot or parcel of land.

When the subdivider is informed that his proposed subdivision can be approved he shall submit seven copies of a certified survey plan of the subdivision for final approval to the Planning Board. Prior to final approval, the subdivider shall pay to the municipality a recreation fee of $50.00 for each lot that the subdivider wishes to receive final approval.

If the subdivision cannot be approved the Planning Board shall state the reason or reasons to the applicant in a letter. The applicant then may appeal the Planning Board's decision to the Land Use Commission.

Zoning Regulations:

Winsloe is divided into five zones as shown on the zoning map. Prior to commencing any development, all persons are required to obtain a building permit.

Zones:

Residential (R1) Zone

No building permit shall be issued in a Residential (R1) Zone except for one or more of the following uses:

single family dwellings
duplex dwellings
day nurseries
churches
parks and playgrounds

In any Residential (R1) Zone, no building permit shall be issued except in conformity with the following requirements:

STANDARD	DETACHED DWELLING DAY NURSERY CHURCH	DUPLEX DWELLING
Minimum Lot Area	20,000 sq. ft.	30,000 sq.ft.
Minimum Lot Frontage	125 feet	125 feet
Minimum Front Yard	50 feet	50 feet
Minimum Rear Yard	20 feet	20 feet
Minimum Side Yard	15 feet	15 feet
Maximum Height of Main Building	35 feet	35 feet

Commercial Zone

No building permit shall be issued in a Commercial (C1) Zone except for one or more of the following uses:

Animal Hospital and Veterinary Establishments

Automobile Service Stations including automobile washing establishments as an accessory use conducted on the same lot

Automobile Washing Establishments

Banks and Financial Institutions

Business and Professional Offices

Churches and Religious Institutions

Clubs

Commercial Schools

Dressmaking and Tailoring

Funeral Homes

Motels and other Tourist Establishments

Indoor Recreation Establishments

Institutional Uses

Medical Clinics

Parking Lots

Places of Entertainment, Recreation and Assembly which are conducted within wholly enclosed buildings

Private Clubs and Fraternal Organizations

Photography Studios

Printing Establishments

Repair Shops

Restaurants

Retail Stores

Service and Personal Service Shops

Single Family Dwelling

Duplex Dwelling

In any Commercial (C1) Zone, no building permit shall be issued except in conformity with the following requirements:

Minimum Lot Area	20,000 sq. ft.
Minimum Lot Frontage	125 feet
Minimum Front Yard	50 feet
Minimum Side Yard	15 feet
Minimum Rear Yard	20 feet
Maximum Height of Main Building	35 feet
Parking for Retail Stores	1 space/300 sq.ft. of floor area

Industrial (M1) Zone

No building permit shall be issued in an Industrial (M1) Zone except for one or more of the following uses:

- Any manufacturing, industrial, assembly or warehousing operation conducted and wholly contained within an enclosed building and which is not considered obnoxious by reason of sound, odor, dust, fumes or smoke, or other obnoxious emission
- Boat and Marine supplies and sales
- Breweries
- Building supply and equipment depots
- Business and professional offices
- Commercial uses accessory to a main use permitted in an Industrial (M1) Zone which is conducted in the main building
- Railway uses
- Service Industries

In an Industrial (M1) Zone, no building permit shall be issued except in conformity with the following requirements:

Minimum Lot Area	1 acre
Minimum Lot Frontage	125 feet
Minimum Front Yard	50 feet
Minimum Side Yard	20 feet
Minimum Rear Yard	40 feet

At least one parking space shall be provided for every 450 square feet of gross floor area. At least one loading area 12 feet by 70 feet with 14 feet of overhead clearance for each loading bay.

Open Space (O1) Zone

No building permit shall be issued in an Open Space (O1) Zone except for one or more of the following uses:

Cemeteries

Churches

Community Centres

Pavilions, Band Shells

Public and Private Parks

Public and Private Recreation Centres

Building and Structures accessory to the foregoing including a refreshment booth or pavilion.

No building permit shall be issued in an Open Space (01) Zone unless the minimum setback from the front lot line is 50 feet and 30 feet from any other lot line.

Rural (A1) Zone

No building permit shall be issued in a Rural (A1) Zone except for one or more of the following uses:

A single family detached dwelling

Abattoir

Agricultural and Forestry uses

Apiaries

Animal Kennels or Stables

Aviaries

Cemeteries

Churches

Public or Private Parks

Recreational Uses and Tourist Establishments

Veterinary Establishments

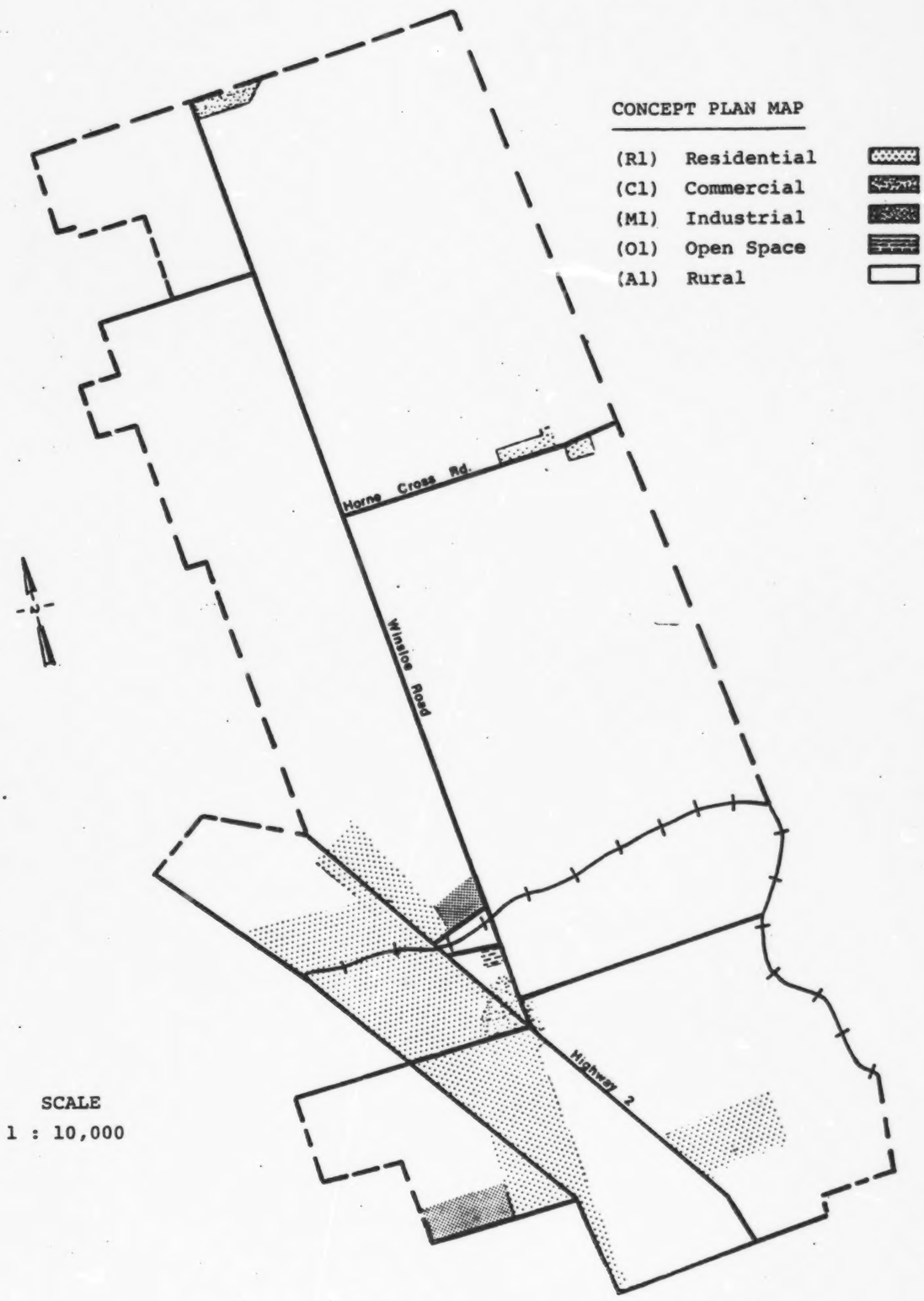
Commercial and Industrial Activities related to agriculture.

Rural (A1) Zone requirements:

In a Rural (A1) Zone, no building permit shall be issued except in conformity with the following requirements:

Minimum Lot Area	40,000 sq. ft.
Minimum Lot Frontage	125 feet
Minimum Front Yard	50 feet
Minimum Side Yard	15 feet
Minimum Rear Yard	20 feet

In a Rural (A1) Zone, only one lot may be subdivided from the existing parcel, as shown on the Zoning Map.


CONCEPT PLAN MAP
(R1) Residential
(C1) Commercial
(M1) Industrial
(O1) Open Space
(A1) Rural
Horne Cross Rd.
Winslow Road
Highway 2
SCALE
1 : 10,000

W.I.N.S.L.O.L

LAWS OF PRINCE EDWARD ISLAND

Planning Act

Amendment to Regulations

Charlottetown:
G. William K. Auld, Queen's Printer
1977

No. EC225/77

PLANNING ACT

AMENDMENT TO REGULATIONS

(Approved by His Honour the Lieutenant Governor in Council dated 17 March 1977.)

The Regulations made by His Honour the Lieutenant Governor in Council pursuant to Section 46 and 59 of the Planning Act (R.S.P.E.I. 1974, Cap. P-6 as amended by 24 Eliz. II [1975], Cap. 20 and 25 Eliz. II [1976], Cap. 22) are hereby amended as follows effective 26 March 1977:

1. Immediately following PART NINETEEN of the regulations entitled CROSS-ROADS ZONING & SUBDIVISION CONTROL REGULATIONS and being Sections 92 through 115, the following is added as PART TWENTY, and includes Section 116 through 173:

PART TWENTY

WINSLOE ZONING AND SUBDIVISION CONTROL REGULATIONS

ZONING REGULATIONS

116. The regulations in this part shall apply to the geographical areas within which the Winsloe Community Improvement Committee has jurisdiction.

DEFINITIONS

117. For the purpose of these regulations, all words shall carry their customary meaning except for those defined hereafter

(a) ACCESS DRIVEWAY means an ingress or egress to the paved portion of a highway from a parcel of land contiguous to the highway;

(a.1) ACCESSORY USE means a use subordinate and naturally, customarily and normally incidental to and exclusively devoted to a main use of land or building and located on the same lot;

(b) ALTER means any change in the structural component of a building, or any increase in the volume of a building or structure;

(b.1) ANIMAL HOSPITAL means the premises where animals, birds or other livestock are treated or treated and kept;

(c) ATTACHED BUILDING means a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings;

(c.1) AUTOMOBILE SERVICE STATION OR SERVICE STATION means a building or part of a building or a clearly defined space on

a lot used for the sale of lubricating oils and gasolines and may include the sale of automobile accessories and the servicing and minor repairing essential to the actual operation of motor vehicles other than an automobile washing establishment or an automobile sales establishment;

(d) AUTOMOBILE WASHING ESTABLISHMENT means a building or part thereof used for the operation of automobile washing equipment which is automatic, or semi-automatic;

(d.1) BUILDING means any structure having a roof supported by columns or walls intended for the shelter, housing or enclosure of any person, animal, or chattel, and includes a trailer coach, when any portion thereof by a division wall or walls without opening, each portion of such building shall be deemed a separate building excepting a garage or greenhouse attached or built onto a main building;

(e) BUILDING LINE means any line regulating the position of a building or structure on a lot;

(e.1) CHURCH means a building dedicated to religious worship and includes a church hall, church auditorium, Sunday school, parish hall, and day nursery operated by the church;

(f) COMMUNITY CENTRE means any tract of land, or building or buildings, or any part of any buildings used for community activities whether used for commercial purposes or not, the control of which is vested in the municipality, a local board or agent thereof;

(f.1) DWELLING means a building, occupied, or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more dwelling units and shall not include a hotel, a motel or an apartment hotel;

(g) DWELLING UNIT means one or more habitable rooms designed or intended for use by one or more individuals as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of such individual or individuals, with a private entrance from outside the building or from a common hallway or stairway inside the building;

(g.1) DUPLEX means a building that is divided horizontally into two dwelling units each of which has an independent entrance either directly or through a common vestibule;

(g.2) ERECT means to build, construct, reconstruct, alter or relocate and without limiting the generality of the foregoing shall be taken to include any preliminary operation such as excavation, grading, piling, cribbing, filling or draining, structurally alter any existing building or structure by an addition, deletion, enlargement or extension;

(h) EXISTING means existing as of the effective date of these regulations;

(h.1) FAMILY means

(i) an individual residing in one dwelling unit, OR

(ii) a group or persons related by marriage, co-habitation, blood or adoption residing together in one dwelling unit, AND INCLUDES

(A) domestic servants, non-paying guests and foster children, and

(B) not more than two (2) roomers or boarders living in the dwelling unit;

(h.2) FLOOR AREA

(i) WITH REFERENCE TO A DWELLING means the maximum area contained within the outside walls excluding any private garage, porch, verandah, sunroom, unfurnished attic or basement and cellar or other room not habitable at all seasons of the year,

(ii) PUBLIC FLOOR AREA means the total usuable floor area within a building used for public purposes but excludes washrooms, furnace and utility rooms;

(i) HOTEL means a building or buildings or part thereof on the same site used to accommodate the travelling public for gain or profit, by supplying them with sleeping accommodation with or without meals but without private cooking facilities;

(i.1) KENNEL means a building or structure where animals, birds or other livestock intended or used as domestic household pets are kept or boarded;

(i.2) LOADING SPACE means an unencumbered area of land provided and maintained upon the same lot or lots upon which the principal use is located and which area

(i) is suitable for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle, and such parking shall not be for the purpose of sale or display;

(ii) is not upon or partly upon any street, or highway, and,

(iii) has adequate access to permit ingress and egress by means of driveways, aisles, manoeuvring areas or similar areas, nor part of which shall be used for the temporary parking or storage of one or more motor vehicles;

(j) LOT means land occupied or to be occupied by a building and its accessory buildings, together with such open spaces as required by these regulations, having not less than the minimum area required by these regulations and having its principal frontage on a street or road;

(j.1) CORNER LOT means a lot situated at the junction of two or more streets or roads where the interior angle of intersection or interception does not exceed 135 degrees;

(j.2) INTERIOR LOT means a lot situated between two lots and having access to one street;

(k) THROUGH LOT means a lot bounded on two opposite sides by streets or highway provided, however, that is any lot qualifies as being both a corner lot and a through lot as hereinbefore defined, such lot shall be deemed to be a corner lot for the purpose of the Bylaw;

(k.1) LOT - AREA means the total horizontal area included within lot lines;

(k.2) LOT DEPTH means the shortest horizontal dimension between the front lot line and a line drawn parallel to the front lot line through the mid point of the rear lot line; for lots having curved front lines and measurement shall be taken from a line drawn parallel to the chord of the arc of the curve constituting the front line drawn parallel to said chord and tangent to said arc.

(l) LOT WIDTH means the average horizontal dimension between two longest opposite sides.

(l.1) LOT FRONTAGE means the horizontal distance between the side lot lines, such distance being measured perpendicularly to the line joining the middle of the front lot line with either the middle of the rear lot line or the apex of the triangle formed by the side lot lines and at a point therein equal in distance to the minimum applicable front yard. In the case of a corner lot with a daylighting triangle the exterior lot lines (street lines) shall be deemed to extend to their hypothetical point of intersection for the purpose of calculating the frontage;

(l.2) LOT LINE means a boundary line of a lot;

(m) FRONT LOT LINE means the line dividing the lot from the street; in the case of a corner lot the longer boundary line abutting the street shall be deemed the side lot line and where such lot lines are of equal length the front lot line shall be deemed to be the front lot line as established in the block by prior construction. In the case of a through lot the longer boundary dividing the lot from the street shall be deemed to be the front lot line and the opposite, shorter boundary shall be deemed to be the rear lot lines, and where such lot lines are of equal length the front lot line shall be deemed to be the front lot line as established in the block by prior construction;

(m.1) REAR LOT LINE means the lot line furtherest from or opposite to the front lot line;

(m.2) SIDE LOT LINE means a lot line other than a front or rear lot line;

(n. FLANKAGE LOT LINE means a side lot line which abuts the street on a corner lot;

(n.1) MAIN BUILDING means the building in which is carried on the principal purpose for which the building lot is used;

(n.2) MOBILE HOME means a transportable dwelling unit suitable for long term occupancy and designed to be transported on its wheels and chassis;

(o) MOTEL means a building or buildings or part thereof on the same site used to accommodate the travelling public for gain or profit, by supplying them with sleeping accommodation, with or without meals;

(o.1) MUNICIPALITY means the Community Improvement Commitee of Winsloe;

(o.2) PARCEL means land under one deed or tax number except where a public road divides the land. In this case parcel is land with frontage on a public road;

(p) PARKING AREA means an open area containing parking spaces, other than a street, for two or more motor vehicles, available for public use or as an accommodation for clients, customers or residents and which has adjacent access to permit ingress or egress of motor vehicles to a street or highway by means of driveways, aisles or manoeuvring areas where no parking or storage of motor vehicles is permitted;

(p.1) PARKING LOT means the same as parking area, as defined in these regulations;

(p.2) PARKING SPACE means an area of not less than two hundred (200) square feet, measuring ten (10) feet by twenty (20) feet exclusive of driveways or aisles, for the temporary parking or storage of motor vehicles, and which has adequate access to permit ingress and egress of a motor vehicle to and from a street or highway by means of driveways, aisles or manoeuvring areas;

(q) PERSON includes an individual, association, firm, partnership, corporation, trust, incorporated company, organization, trustee or agent, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law;

(q.1) PERSONAL SERVICE SHOP means a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, and without limiting the generality of the foregoing may include such establishments as barber shops, beauty parlours, automatic laundry shops, hairdressing shops, shoe repair and shoe shining shops, and depots for collecting dry cleaning and laundry, but excludes any manufacturing or fabrication of goods for sale;

(q.2) PRIVATE CLUB means a building or part of a building used as a

meeting place for members of an organization and may include a lodge, a fraternity or sorority house, and a labour union hall;

(r) PUBLIC PARK means a park owned or controlled by a public authority or by any board, commission or other authority established under statute of the Province of Prince Edward Island;

(r.1) RECREATIONAL FACILITY - PUBLIC means any recreational facility owned or controlled by a public authority or by any board, commission or other authority established under statute of the Province of Prince Edward Island;

(s) RECREATIONAL FACILITY - PRIVATE means any recreational facility which does not conform to the definition of public recreational facility;

(s.1) RECREATIONAL USES means the use of land for parks, playrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, golf courses, picnic areas, swimming pools, day camps, community centres and similar uses to the foregoing, together with necessary and accessory buildings structures, but not including a track for the racing of animals, or any form of motorized vehicles;

(t) RETAIL STORE means a building or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public at retail value;

(t.1) SEMI-DETACHED DWELLING means a building that is divided vertically into two dwelling units each of which has an independent entrance;

(u) SERVICE INDUSTRIES includes the processing of milk and dairy products, a bakery, a public garage including engine and body repair shop, a printing establishment, a laundry or cleaning establishment, a paint shop, plumbing shop, sheet metal shop and similar uses;

(u.1) SERVICE SHOP means a building or part thereof used for the sale or repair of household articles and shall include radio, television and appliance repair shops but shall not include industrial or manufacturing or motor vehicle repair shops;

(v) SETBACK means the distance between the street line and the nearest main wall of any building or structure and extending the full width or length of the lot;

(v.1) SINGLE FAMILY DETACHED DWELLING means a completely detached dwelling unit;

(w) STREET or ROAD means the whole and entire right-of-way of every highway, road, or road allowance vested in the Province of Prince Edward Island;

(w.1) STREET LINE means the boundary line of a street;

(x) STRUCTURE means anything that is erected, built, or constructed of parts joined together or any such erection fixed to or supported by the soil or by any other structure. A structure shall include buildings, walls and signs and also fences exceeding six (6) feet in height;

(x.1) TOURIST ESTABLISHMENT means a building or buildings which are used to accommodate the travelling public for gain or profit by supplying them with sleeping accommodation with or without meals, and shall include a guest house, tourist, cabins, a motel, and an auto court;

(y) YARD means an open, uncovered space on a lot appurtenant to a building (except a court) and unoccupied by buildings or structures except as specifically permitted elsewhere in these regulations. In determining yard measurements the minimum horizontal distance from the respective lot lines shall be used;

(i) FRONT YARD means a yard extending across the full width of a lot between the front lot line and the nearest wall of any building or structure on the lot; a "minimum" front yard means the minimum depth of a front yard on a lot between the front lot line and the nearest wall of any main building or structure on the lot,

(ii) REAR YARD means a yard extending across the full width of a lot between the rear lot line and the nearest wall of any main building or structure on the lot; and "minimum" rear yard means the minimum depth of a rear yard on a lot between the rear lot line and the nearest main wall of any main building or structure on the lot,

(iii) SIDE YARD means a yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest wall of any building or structure on the lot; and "minimum" side yard means the minimum width of a side yard on a lot between a side lot line and the nearest main wall of any main building or structure on the lot,

(y.1) ZONE means a designated area of land shown on Schedule A to these regulations.

ZONES & ZONING MAPS

118. (1) For the purpose of these regulations, Winsloe Community Improvement Committee is divided into the following zones, the boundaries of which are shown on the attached Schedule "A".

ZONES	SYMBOLS
Residential	R1
Commerical	C1
Industrial	M1

Open Space	O1
Rural	A1

(2) Schedule "A" attached hereto may be cited as the "Zoning Map" and is hereby declared to form part of these regulations.

(3) Boundaries between zones indicated on the Zoning Map shall be determined as follows:

(a) where a zone boundary is indicated as following a street or highway, the boundary shall be the centre line of such street or highway;

(b) where a zone boundary is indicated as approximately following lot lines the boundary shall follow such lot lines;

(c) where none of these above provisions apply, and where appropriate, the zone boundary shall be scaled from the ORIGINAL zoning maps, which are on file in the Office of the Registrar of Deeds for Queens County.

GENERAL REQUIREMENTS FOR LAND USE ZONES

119. (1) No person shall commence any development without the prior approval of the municipality.

(2) "Development" includes any erection, construction, addition, alteration, replacement or addition to any building or structure and any alteration in the use made of the land, buildings, or structure.

(3) No such approval shall be given unless all the provisions of these regulations are satisfied.

(4) The municipality may authorize such MINOR variance from the provisions of these regulations in respect of the land, building or structure or the use thereof, as in its opinion is desirable for the appropriate development or use of the land, building or structure, provided that in the opinion of the Winsloe Community Improvement Committee Planning Board, the general intent and purpose of the regulations are maintained.

120. Accessory uses, buildings and structures shall be permitted in any zone but shall not

(a) be used for human habitation except where a dwelling is permitted accessory use;

(b) be located within the front yard of a lot;

(c) be considered an accessory building if attached to the main building in any way; and

(d) be considered an accessory building if located completely underground.

121. Accessory uses, buildings and structures shall conform to the following requirements

Maximum Height	35 feet (except for barns and silos)
Minimum Flankage Yard .	50 feet
Minimum Rear Yard	3 feet
Minimum Side Yard	3 feet
Minimum Front Yard	Beside or behind main building, except in an A1 Zone where an accessory building may be located within the front yard on a farm operation.
Minimum Distance between main building and accessory use	3 feet

122. Every main building shall be located upon a lot, and in no case shall there be more than one main building on one lot of the minimum size permitted by these regulations, except in the case of an industrial zone, tourist accommodations in a rural zone, or a farm operation.

123. On a corner lot, a fence, sign, hedge, shrub, bush or tree or any other structure or vegetation shall not be erected or permitted to grow to a height greater than three (3) feet above grade of the streets that abut the lot within the triangular area included within the street lines for a distance of fifty (50) feet from their point of intersection.

124. Notwithstanding section 121, a private garage may be erected provided such private garage is placed not closer than six (6) feet to the rear or side lines of the lot. Where a garage is attached to a dwelling it shall be deemed to be a part thereof.

125. Nothing in the regulation shall prevent the strengthening or restoring to a safe condition of any building or structure.

126. For every building or structure erected or enlarged, offstreet parking within the same zone as the use and having unobstructed access to a public street shall be provided and maintained in conformity with the following schedule.

(a) TYPE OF BUILDING	PARKING REQUIRED
single family dwellings duplex dwellings, cottages	Two (2) spaces for each unit.
churches, religious institutions, clubs, indoor recreation establishments, places of entertainment, recreation and assembly conducted within wholly enclosed buildings, private clubs and fraternal organizations, restaurants, funeral homes, automobile service stations	One (1) space for each six seats or one (1) space for each one hundred (100) square feet of space devoted to public use.

all other commercial uses, business and professional offices	One (1) parking space for each three hundred (300) square feet of floor area
day nursery, all industrial uses	One (1) parking space for each four hundred and fifty (450) square feet of floor space
motels and other tourist establishments	One and one half (1½) parking spaces for each unit

(b) for any building or structure with loading bay facilities at least one loading area 12 feet by 70 feet with 14 feet of overhead clearance shall be required for each loading bay.

127. Every parking space shall have minimum dimensions of 10 feet by 20 feet and shall have access to a clear manoeuvring lane.

128. Where parking facilities for more than four (4) vehicles are required or permitted

(a) the parking area shall be maintained with a stable surface that is treated to prevent the raising of dust or loose particles;

(b) the lights used for illumination of the parking lot or parking station shall be so arranged as to divert the light away from the streets, adjacent lots and buildings;

(c) the parking areas shall be within three hundred (300) feet of the location which it is intended to serve, and shall be situated in the same zone;

(d) when the parking area is of permanent hard surfacing, each parking space shall be clearly demarcated and maintained as such;

(e) no gasoline pumps or other service station equipment shall be located or maintained on the parking lot;

(f) entrance and exit ramps to parking areas shall not exceed two (2) in number and each such ramp shall be a width of forty (40) feet at the street line and edge of pavement;

(g) the width of a driveway leading to a parking or loading area, or of a driveway or aisle in a parking area, shall be a minimum width of ten (10) feet if for one-way traffic, and a minimum width of twenty (20) feet if for two-way traffic, and the maximum width of a drive-way shall be twenty-five (25) feet;

129. Nothing in these regulations shall exempt any person from complying with the requirements of any other regulation in force within the municipality or to obtain any licence, permission, permit, authority or approval required by these or any other regulations of the municipality or of the Province of Prince Edward Island or the Dominion of Canada.

130. Subject to the provision of these regulations, a building or structure, or use of land, buildings or structures lawfully in existence at the effective date of these regulations may continue to exist.

131. Where a building has been erected on or before the effective date of these regulations on a lot having less than the minimum frontage or area, or having less than the minimum setback or side yard or rear yard required by these regulations, the building may be enlarged, reconstructed, repaired or renovated provided that

    (a) the enlargement, reconstruction, repair or renovation does not further reduce the front yard or side yard or rear yard that does not conform to these regulations; and

    (b) all other applicable provisions of these regulations are satisfied.

132. Notwithstanding anything else in these regulations, a vacant lot held in separate ownership from adjoining parcels on the effective date of these regulations, having less than the minimum width or area required by these regulations, may be used for a purpose permitted in the zone in which the lot is located and a building may be erected on the lot provided that all other applicable provisions in these regulations are satisfied.

133. Nothing in these regulations shall prevent the erection of a single family detached dwelling on a lot registered in the Registry Office prior to the effective date of these regulations provided the dwelling conforms to the applicable provisions of the regulations.

134. (1) Before recommending to Lieutenant Governor in Council changes to any of these regulations, the municipality shall insert an advertisement giving notice of the intention to do so at least once a week for two successive weeks in a newspaper circulating in the area affected, the first notice to be published at least two clear weeks before the date fixed for consideration of objections.

    (2) The notice shall state the place where and the hours during which the regulations and proposed amendments may be inspected by any interested person and a time and place set for consideration of objections.

    (3) Where a change in zone designation is proposed for any parcel of land: all property owners within 500 feet of the parcel shall be notified by registered mail at their last known address or by hand delivered mail; notices of the proposed change shall be posted in a conspicuous place on the parcel(s) concerned.

RESIDENTIAL (R1) ZONE

135. In a residential (R1) zone, lots fronting on Provincial Highway No. 2 (Malpeque Road) shall not have direct access to Highway No. 2.

136. Nothing in these regulations shall prevent the use of a dwelling in a residential (R1) zone for business or professional purpose provided that

(a) the dwelling is occupied as a residence by the business operator and the external appearance of the dwelling is not changed by the business or professional use;

(b) there shall be not more than two (2) assistants who are not residents in the dwelling employed in the business or profession;

(c) not more than twenty-five percent (25%) of the total floor area of the dwelling is devoted to the professional or business use;

(d) one off-street parking space, other than that required for the dwelling, is provided for every two hundred (200) square feet of floor space occupied by the business or professional use; and

(e) no open storage or outdoor display shall be permitted.

137. DOMESTIC AND HOUSEHOLD ARTS PERMITTED IN RESIDENTIAL ZONES

(1) In these regulations, household and domestic arts shall include:

(a) dressmaking and tailoring;

(b) hairdressing;

(c) instruction in music, dancing, arts and crafts;

(d) weaving, painting, sculpturing, moulding or otherwise making or repairing of garden or household ornaments, articles of clothing, personal effects or toys.

(2) Nothing in these regulations shall prevent the carrying on in a residential (R1) zone of domestic or household arts, provided that all the conditions as specified in section 136 are satisfied.

138. No building permit shall be issued for a residential (R1) zone except for one or more of the following uses

(a) single family detached dwellings;

(b) duplex dwellings;

(c) day nurseries;

(d) churches;

(e) parks and playgrounds; or

(f) accessory uses.

139. In any residential (R1) zone, no building permit shall be issued except in conformity with the following requirements

Standard	Detached Dwelling Day Nursery, Church	Duplex Dwelling
Minimum Lot Area	20,000 sq. ft.	30,000 sq. ft.
Minimum Lot Frontage	125 feet	125 feet
Minimum Front Yard	50 feet	50 feet
Minimum Side Yard	15 feet	15 feet
Minimum Rear Yard	20 feet	20 feet
Maximum Height of Building	35 feet	35 feet
Minimum Flankage Yard	50 feet	50 feet

COMMERCIAL (C1) ZONE

140. In a commercial (C1) zone, lots fronting on Provincial Highway No. 2 (Malpeque Road) shall not have direct access to Highway No. 2.

141. No building permit shall be issued in a commercial (C1) zone except for one or more of the following uses

(a) animal hospital and veterinary establishment;

(b) automobile service stations including automobile washing establishments as an accessory use conducted on the same lot;

(c) automobile washing establishments;

(d) banks and financial institutions;

(e) business and professional offices;

(f) churches and religious institutions;

(g) clubs;

(h) commerical schools;

(i) dressmaking and tailoring;

(j) funeral homes;

(k) motels, and other tourist establishments;

(l) indoor recreation establishments;

(m) institutional use;

(n) medical clinics;

(o) parking lots;

(p) places of entertainment, recreation and assembly which are conducted within wholly enclosed buildings;

(q) private clubs and fraternal organizations;

(r) photography studios;

(s) printing establishments;

(t) repair shops;

(u) restaurants;

(v) retail stores;

(w) service and personal service shops;

(x) single family dwelling;

(y) duplex dwelling; or

(z) accessory uses;

142. In any commercial (C1) zone, no building permit shall be issued except in conformity with the following requirements

Minimum Lot area	20,000 sq. ft.
Minimum Lot Frontage	125 feet
Minimum Front Yard	50 feet
Minimum Side Yard	15 feet
Minimum Rear Yard	20 feet
Maximum Height of Building	35 feet
Minimum Flankage Yard	50 feet

INDUSTRIAL (M1) ZOME

143. In an industrial (M1) zone, lots fronting on Provincial Highway No. 2 (Malpeque Road) shall not have direct access to Highway No. 2.

144. No building permit shall be issued in an industrial (M1) zone except for one or more of the following uses

(a) any manufacturing, industrial, assembly or warehousing operation conducted and wholly contained within an enclosed building and which is not considered obnoxious by reason of sound, odor, dust, fumes or smoke, or other obnoxious emission;

(b) any activity connected with the automotive trade other than an automotive scrap yard or automobile related commercial recreational establishment;

(c) boat and marine supplies and sales;

(d) breweries;

(e) building supply and equipment depots;

(f) business and professional offices;

(g) commercial uses accessory to a main use permitted in an M1 zone which is conducted in the main building;

(h) railway uses;

(i) service industries; or

(j) accessory uses;

145. In an industrial (M1) zone, no building permit shall be issued except in conformity with the following requirements

Minimum Lot Area	1 acre
Minimum Lot Frontage	125 feet
Minimum Front Yard	50 feet
Minimum Side Yard	20 feet
Minimum Rear Yard	40 feet
Maximum Height of Building	35 feet
Minimum Flankage Yard	50 feet

OPEN SPACE (O1) ZONE

146. In an open space (O1) zone, lots fronting on Provincial Highway No. 2 (Malpeque Road) shall not have direct access to Highway No. 2.

147. No building permit shall be issued in an open space (O1) zone except for one or more of the following uses

(a) cemeteries

(b) churches;

(c) community centres;

(d) golf courses;

(e) market garden and garden nurseries;

(f) pavilions, band shells;

(g) public and private parks;

(h) public and private recreation centres; or

(i) building and structures accessory to the foregoing including a refreshment booth or pavilion.

148. In an open space (O1) zone, no building permit shall be issued except in conformity with the following requirements

Minimum Lot Area	40,000 sq. ft.
Minimum Lot Frontage	125 feet
Minimum Front Yard	50 feet
Minimum Side Yard	30 feet
Minimum Rear Yard	30 feet
Maximum Height of Building	35 feet
Minimum Flankage Yard	50 feet

RURAL (A1) ZONE

149. (1) In a rural (A1) zone, lots fronting on Provincial Highway No. 2 (Malpeque Raod) shall not have direct access to Highway No. 2.

(2) In a rural (A1) zone, only one (1) lot may be subdivided from each parcel as shown on the zoning map.

(3) On Provincial Highway No. 2 (Malpeque Road) the one (1) lot referred to in subsection (2) shall use an existing farm home access driveway.

150. One (1) mobile home as an accessory building may be located on a farm operation.

151. No building permit shall be issued in a rural (A1) zone except for one or more of the following uses

(a) single family detached dwelling;

(b) abattoir;

(c) agricultural and forestry uses;

(d) apiaries;

(e) animal kennels or stables;

(f) aviaries;

(g) cemeteries;

(h) churches;

(i) cottages;

(j) commerical and industrial activities related to agriculture;

(k) public or private parks;

(l) recreational uses and tourist establishments; or

(m) accessory uses.

152. In a rural (A1) zone, no building permit shall be issued except in conformity with the following requirements

Minimum Lot Area	40,000 sq. ft.
Minimum Lot Frontage	125 feet
Minimum Front Yard	50 feet
Minimum Side Yard	15 feet
Minimum Rear Yard	20 feet
Maximum Height of Building	35 feet
Minimum Flankage Yard	50 feet

SUBDIVISION CONTROL REGULATIONS

153. Any person proposing to subdivide any land within the limits of the municipality for the purpose of lease, sale, transfer, use or development shall make application for approval of the subidivision to the municipality in accordance with these regulations.

154. No person shall develop or lay out subdivision in any area which these regulations apply until he has submitted a plan thereof to the municipality.

155. Every subdivider shall be required to submit a preliminary or tentative plan consisting of a subdivision plan drawn to scale showing

    (a) the true shape and dimension of the lot or lots;

    (b) the location of every existing building or structure on the parcel;

    (c) existing and proposed services;

    (d) the name and signature of the landowner;

    (e) the name and signature of the applicant if different than the owner;

    (f) proposed widths and location of all streets;

    (g) location of land proposed for parks or public use;

    (h) existing land use of the land and immediately adjacent property showing buildings, fields, streams, rivers, swamps, wooded areas and areas subject to flooding.

156. In addition to the foregoing information required the subdivider may be required to provide

    (a) contours or spot elevation;

    (b) an indication of general soil conditions;

    (c) a soil percolation test or tests on the site.

157. The municipality shall examine such application and shall advise the applicant in writing, within thirty (30) working days from receipt of such application either that the subdivision proposal can be approved or that it cannot be approved.

158. In the case where the application cannot be conveyed, the reason for so deciding shall be stated.

159. No person shall diminish the size of any lot below the size prescribed in these zoning regulations.

160. No lot or lots of a subidvision shall be conveyed prior to final approval in accordance with these regulations.

161. Prior to final approval all corners of the lot in a subdivision shall be marked on the ground by a Prince Edward Island Land Surveyor.

162. No land shall be subdivided within the limits of the municipality contrary to the provisions of these regulations.

163. For the purpose of these regulations, the zones referred to shall be those as established in the zoning regulations above.

164. All land to be subdivided and the subdivision thereof, shall be suited to the purpose for which the subdivision is intended having under consideration

(a) whether the plan conforms to the zoning regulations;

(b) the topography and physical condition of the land;

(c) the soil characteristics;

(d) surface drainage;

(e) potential flooding and erosion;

(f) the convenience of access;

(g) the availability and adequacy of utilities and services;

(h) the existing land use in the immediate vicinity;

(i) the segregation of traffic flow as between main and minor throughfares;

(j) the dimensions, shape, orientation and accessibility of each lot or parcel of land.

165. All lots shall front on a public street or road.

166. Every lot or parcel shall have at least the minimum frontage on a public road for the intended use of the lot or parcel as outlined in the zoning regulations.

167. No part of any building or structure shall be less than two hundred (200) feet from the centre point of intersection of any intersecting roads or highways where the maximum speed limit is 50 miles per hour or greater.

168. (1) The minimum street allowance required in a proposed subdivision shall be sixty-six (66) feet.

(2) A cul-de-sac shall not exceed three hundred and fifty (350) feet in length and the turnaround shall have a minimum radius of seventy (70) feet.

(3) Streets shall intersect as nearly as possible at right angles (90°).

(4) Roads with jogs or centreline offsets of less than two hundred (200) feet shall not be permitted.

169. No access driveway or public road shall be so located that the entrance thereto is closer than two hundred (200) feet to a railway crossing.

170. When any public road is constructed or opened by any person for the purpose of subdividing lots, the subdivider shall pay to the Minister of Finance a fee to be established from time to time for each lineal foot of such public road to be applied toward the cost of construction of the same; construction of the road to be carried out by the Department of Highways.

171. (1) Double frontage lots shall be prohibited. Reverse frontage and double frontage lots, however, may be used in order to provide separation from arterial and collector roads.

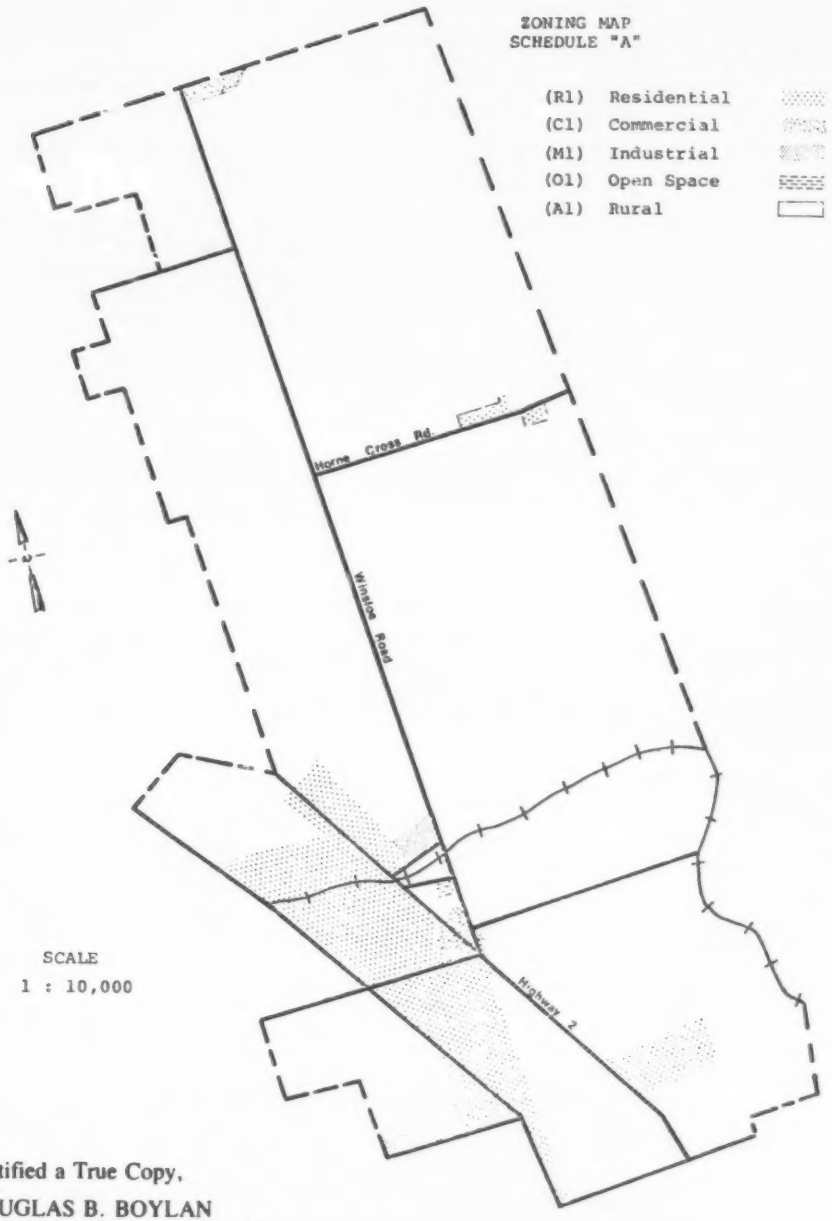
(2) Side lot lines shall be as nearly at right angles to streets as possible and shall be radial to a curved street line. The rear lot lines of a series of adjoining lots shall be a continuous straight or veered line and not stepped or jogged.

(3) Corner lots shall have a frontage width of at least ten percent (10%) greater than the frontage width of adjoining or interior lots.

172. Any person who subdivides any land within the municipality shall dedicate and deed to the municipality, free of all encumbrances, five percent (5%) of the land included in the subdivision to the municipality for recreation and open space use. The municipality shall have the power to choose what land within the subdivision shall be deeded.

173. Where no dedication of land is deemed appropriate by the municipality, the municipality shall require a cash payment of $50.00 for each of the approved lots in the subdivision before the subdivision receives final approval, and such funds shall be designated for the purchase/maintenance of park, open space, or recreational facilities.

ZONING MAP - SCHEDULE "A"



Certified a True Copy,

DOUGLAS B. BOYLAN
Clerk of the Executive Council

LAWS OF PRINCE EDWARD ISLAND

Planning Act

Winsloe Zoning and Subdivision Control Regulations

Amendment to Regulations

Charlottetown:
G. William K. Auld, Queen's Printer
1977

No. EC720/77

PLANNING ACT

(WINSLOE ZONING AND SUBDIVISION CONTROL REGULATIONS)

AMENDMENT TO REGULATIONS

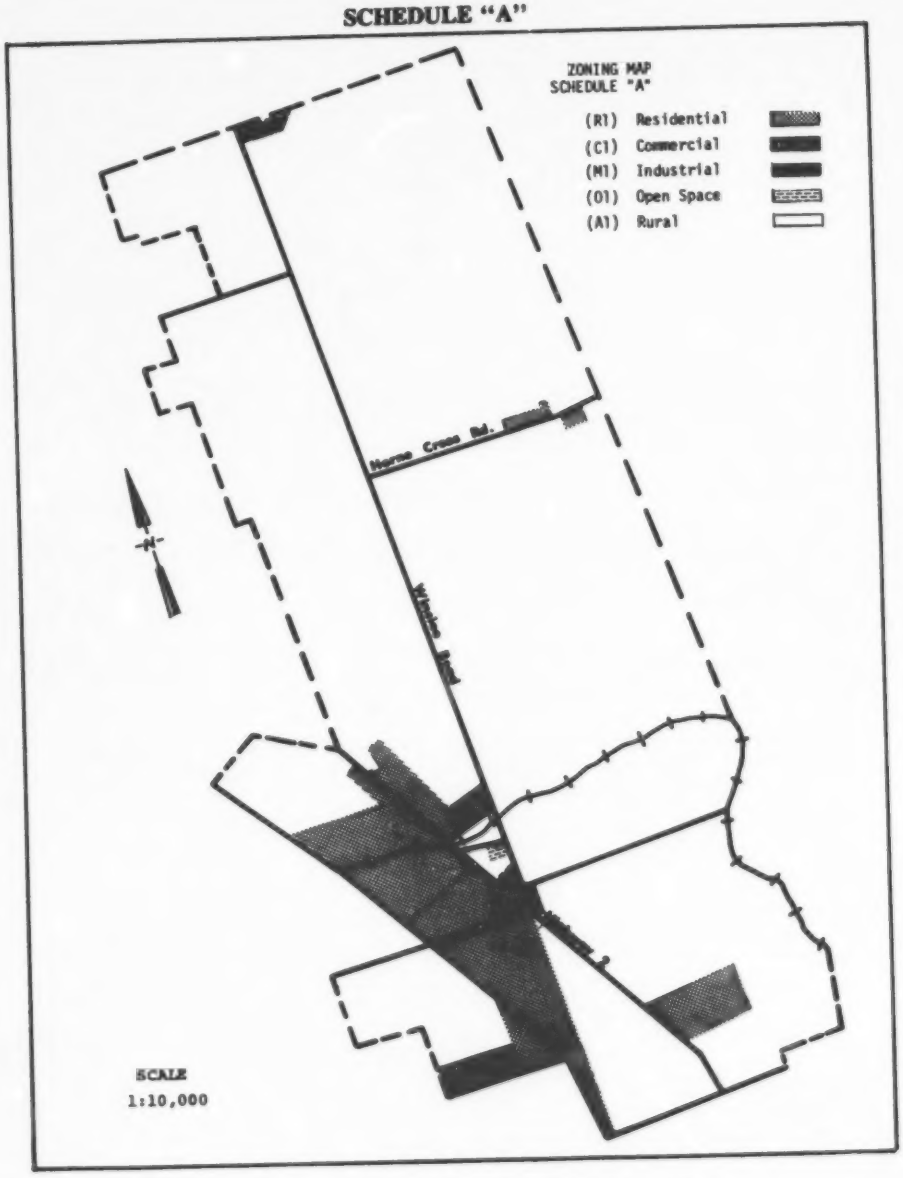
(Approved by His Honour the Lieutenant Governor in Council dated 1 September 1977.)

The *Winsloe Zoning and Subdivision Control Regulations* made by His Honour the Lieutenant Governor in Council, by Order-in-Council No. EC225/77, on the 17th day of March 1977, are hereby amended as follows effective 10 September 1977:

1. The zoning map attached as Schedule "A" to the Winsloe Zoning and Subdivision Control Regulations, is deleted in its entirety and the following zoning map is substituted therefor as Schedule "A".

ZONING MAP

SCHEDULE "A"



Certified a True Copy,

DOUGLAS B. BOYLAN
Clerk of the Executive Council

LAWS OF PRINCE EDWARD ISLAND

Planning Act

Winsloe Zoning and Subdivision Control Regulations

Amendment to Regulations

Charlottetown:
G. William K. Auld, Queen's Printer
1980

No. EC736/80

PLANNING ACT

WINSLOE ZONING AND SUBDIVISION CONTROL REGULATIONS

AMENDMENT

(Approved by His Honour the Lieutenant Governor in Council dated 17 July 1980.)

Pursuant to Section 46 of the Planning Act (R.S.P.E.I. 1974, Cap. P-6) Council made the following regulations:

1. Subsections 116(1) and (2) and Part XI of the Planning Act Regulations (Winsloe Zoning and Subdivision Control Regulations EC225/77) are revoked and the following are substituted therefor:

116. (1) Without the prior approval of the municipality, no person shall commence any development of the following kinds:

(a) any subdivision of land;

(b) any new construction or replacement of an accessory or principal structure;

(c) any change in the use of any land or structure;

(d) any exterior or interior structural renovation exceeding $1,000 in value made to any structure.

(2) Applications for approval shall be made on forms approved by the municipality.

2. Section 118 of the said Regulations is revoked and the following is substituted therefor:

118. Accessory uses, buildings and structures shall conform to the following requirements

	Accessory Buildings on a Residential Lot	All Other Uses
Maximum Height	15 feet	20 ft. except for church spires, barns and silos
Minimum Rear Yard	3 feet	3 feet
Minimum Side Yard	3 feet	3 feet

Front Yard	beside or behind main building	beside or behind main building, except in an A1 Zone where an accessory building may be located within the front yard on a farm operation
Minimum Distance between main building and accessory building	10 feet	10 feet
Maximum Floor Area	500 square feet	

3. Section 123 of the said Regulations is amended by the deletion of the words "one hundred square feet" and the substitution therefor of the words "two hundred square feet".

4. Section 142 of the said Regulations is amended by the deletion of the words "Minimum Lot Area 1 acre" and the substitution therefor of the words "Minimum Lot Area 40,000 square feet".

5. Section 154 of the said Regulations is amended by the deletion of the words "either that the subdivision proposal can be approved or that it cannot be approved" and the substitution therefor of the words "that the subdivision proposal is approved, approved with conditions, deferred for up to a maximum of 60 working days or refused".

6. Section 172 of the said Regulations is amended by the deletion of the words "five percent" and the substitution therefor of the words "ten percent".

7. Section 173 of the said Regulations is revoked and the following is substituted therefor:

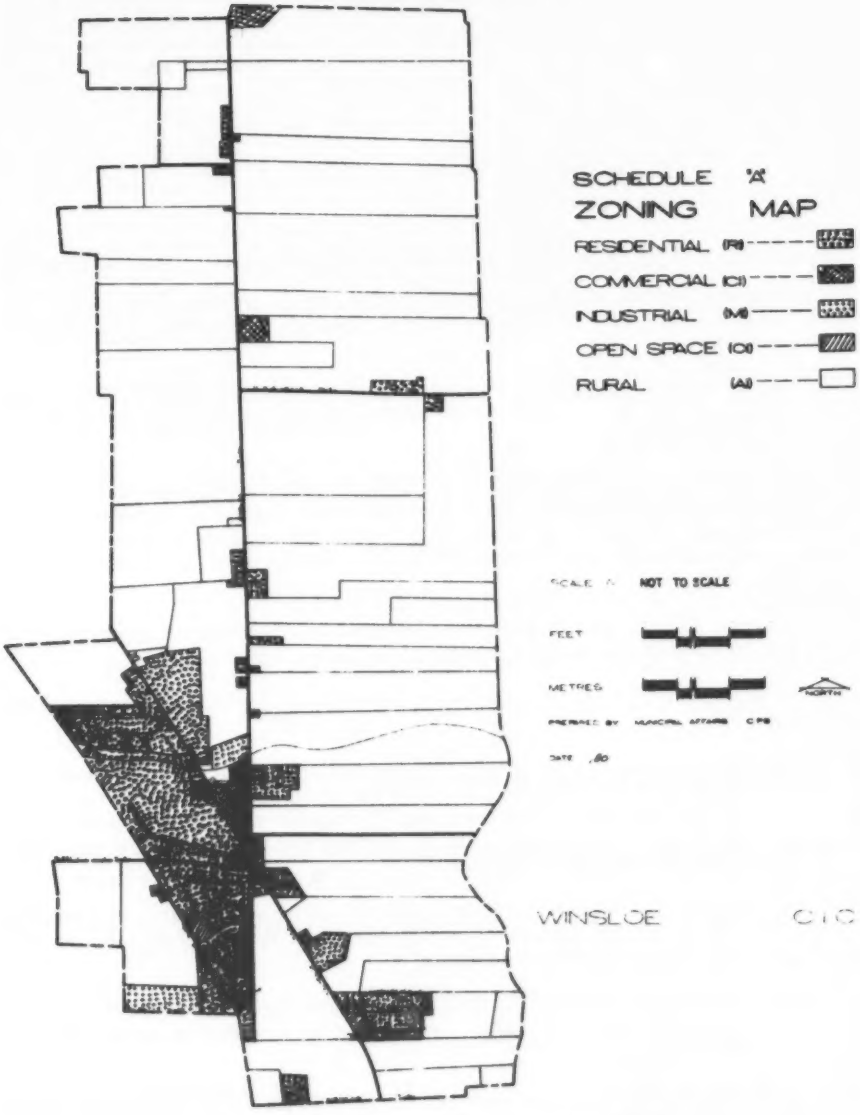
   173. Where no dedication of land is deemed appropriate by the municipality, the municipality shall require a cash payment of ten percent of the appraised value of the land before subdivision and that amount shall be designated for the purchase or maintenance, or both purchase and maintenance, of park, open space or recreational facilities.

8. (1) The Zoning Map set out in Schedule "A" of the said Regulations is revoked and the Zoning Map set out in Schedule "A", dated 17 July 1980, to these regulations is substituted therefor.

   (2) The original Zoning Map which is on file in the Office of the Registrar of Deeds for Queens County is deemed to be amended in accordance with subsection (1).

9. These Regulations come into force on 26 July 1980 the date of their publication in the Gazette.

SCHEDULE "A"



Certified a True Copy,

DIANE I. BLANCHARD
Clerk Assistant of the Executive Council